

UNITED STATES COURT FOR THE DISTRICT OF PUERTO RICO  
BEFORE HONORABLE DANIEL R. DOMINGUEZ

AMENDED MINUTES OF PROCEEDINGS

DATE: June 1, 2006

CIVIL NO. 97-1442(DRD)

LAW CLERK: Jose A. Figueroa

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UNITED STATES OF AMERICA  
Plaintiff,

Attorneys:

Isabel Muñoz (AUSA)  
Jerome Maclaughlin (DOJ)  
(via telephone)

v.

TROPICAL FRUIT, S.E., et al.,  
Defendants

Jaime Sifre

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A Status Conference was held today. It began at 5:45 p.m. and ended at 6:00 p.m. The parties advised the Court as to the status of the case. As agreed in the Settlement Agreement entered into by the appearing parties the Court conducts a periodic Status Conference to monitor compliance with the stipulations and to determine the progress of the work being performed at the farm.

Counsel for plaintiff sustains that:

- 1) Inspections of the farm in furtherance of the Settlement Agreement have been performed and there is no complaint from the DOJ.
- 2) Penalty installment due on May 23<sup>rd</sup> has not yet been received.
- 3) At this time it is not foreseen that further Status Conferences for follow up as to compliance purposes are necessary.

Counsel for defendant stated for the record that follow up will be performed to determine status of the payment past due because he does not have any information as to the status of the payment. However, counsel Sifre sustains that communications with Ms. Shapiro takes too long and requests from counsel Maclaughlin that further communications shall be conducted through him. Further, counsel Sifre raises issues relating to substituting the use of pesticide Kocide 101 because the manufacturer has advised that the product could be no longer produced. Therefore, defendants requested that pesticide Kocide 2000 be used instead. Finally, counsel Sifre requests that the DOJ allows that the defendants use a new improved spray system which is being used by other farms in Puerto Rico.

Counsel Maclaughlin and Sifre shall exchange the relevant documentation regarding the issues raised by counsel for defendant. **As the Court was concerned with compliance with environmental protection, it is now equally concerned with protecting the employment of Puerto Rico.** Notwithstanding the Court attached to these Minutes the documentation provided by counsel Sifre. Finally, the Court shall schedule any further Status Conference only upon request by either party.

**IT IS SO ORDERED.**

S/DANIEL R. DOMINGUEZ  
DANIEL R. DOMINGUEZ  
U.S. DISTRICT JUDGE